

REMARKS/ARGUMENTS

This paper is submitted responsive to the office action mailed September 11, 2006. Reconsideration of the application in light of the accompanying remarks and amendments is respectfully requested.

In the aforesaid action, the Examiner rejected the claims under 35 USC 112, first paragraph, and asserted that the specification was enabling only to the scope of claims 42 and 43. While the Applicant believes that the present specification is clearly enabling for a more broad scope of subject matter, independent claim 13 has nonetheless been amended to incorporate the language of claims 42 and 43, and thus claim 13 and all dependent claims therefrom are believed to clearly comply with 35 USC 112.

The Examiner also indicated that claims 15-17 contained allowable subject matter. While this indication is greatly appreciated, it is believed that claim 13 as amended also defines patentably over the art of record. Claim 13 has been amended to include paragraph (a) of previously presented claim 14 and it is submitted that the art of record does not in any way teach this subject matter. This calls for the quotient of the modulus of elasticity $E(i, j)$ of $P(i) + P(j)$ and the modulus of elasticity $E(i)$ of $P(i)$, $E(i, j)/E(i)$ to be >1.1 and <4 . On page 3 of the Office Action, the Examiner asserts that Figure 9 in EP discloses the modulus set forth above. That is, the Examiner asserts that the modulus of the composition having a wax content of 2.5 wt% is more than 10% higher than the modulus of the pure polyethylene having a wax content (lubricant level) of 0 wt%.

It is pointed out, however, that the vertical coordinate axis (flexural modulus) starts at 800 MPa rather than at 0MPa. Thus, it is believed that the Examiner has come to the erroneous conclusion that the vertical bar at the 2.5% lubricant level is more than 10% higher than the vertical bar at the 0% lubricant level and therefore that the flexural modulus ratio is inside a range of $1.1 <$


$E(I,j)/E(i) < 4$ as called for in then claim 14. It is pointed out that the correct ratio has to be calculated using the absolute difference in flexural modulus between the flexural modulus values at 2.5 wt% and 0 wt% lubricant level, that is, 1,000 MPa/940 MPa. This yields a value of 1.063 which of course is outside the range of the language previously in claim 14 and now included in independent claim 13.

based upon the foregoing, it is submitted that claim 13 as amended is allowable over the art of record.

An earnest and thorough effort has been made by the undersigned to address all issues in this application and to place the application in condition for allowance. If, upon consideration of this response, the Examiner is of the opinion that issues remain which can be addressed by telephone interview, the Examiner is invited to telephone the undersigned to discuss same.

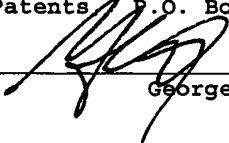
A request for one month extension of time accompanies this paper, along with an authorization of the Deposit Account for the fee in connection with same. It is believed that no additional fee is due. If, however, any such fee or fee deficiency is due, please charge same to Deposit Account 02-0184.

Respectfully submitted,
Rolf Müller et al.

By 
George A. Coury
Attorney for Applicants
Reg. No. 34,309
Tel: (203) 777-6628
Fax: (203) 865-0297

Date: January 11, 2007

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on January 11, 2007.


George A. Coury